

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 2, 8, 9 and 14 have been amended. Claims 1, 2, 4, 8, 9 and 14 are pending and under consideration

No new matter is being presented, and approval of the amended claims is respectfully requested.

REASONS FOR ENTRY

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because the amendments to independent claims 1, 2, 8, 9 and 14 are intended to further clarify that a user is able to indicate a suppress process, among a plurality of suppress processes, without adding new features or raising new issues. The amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed, and it was inherent that if a user is capable of indicating a suppress process, then a plurality of suppress processes were available for selection by the user.

Further, the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTIONS OF CLAIMS 1, 2, 4, 8, 9 AND 14 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER EZEKIEL ET AL. (U.S. PATENT NO. 5,625,783) IN VIEW OF MORCOS ET AL. (U.S. PATENT NO. 6,229,539) FURTHER IN VIEW OF MCGURRIN ET AL. (U.S. PATENT NO. 5,760,776)

The rejections of claims 1, 2, 4, 8, 9 and 14 are respectfully traversed and reconsideration is requested.

On pages 4-5 of the Action, the Examiner notes that neither Ezekiel et al. (hereinafter "Ezekiel") nor Morcos et al. (hereinafter "Morcos") teaches or suggests displaying a suppressed

menu item so as to be visible but impossible to select, as added to the independent claims in the previous response. However, McGurrian et al. (hereinafter "McGurrian") is newly cited as disclosing this feature (citing McGurrian column 1, line 61, and column 2, line 47, and column 4, line 36).

Further, on page 4 of the Action, the Examiner notes again that Ezekiel does not teach modifying a definition file by allowing a user to select one or more of said menu items being registered in a definition file to be suppressed, and to indicate a suppress process to said one or more of said menu items. However, the Examiner maintains that Morcos discloses this feature.

Morcos teaches customizing command bars by dragging a control from a list of available commands to the desired position in another command bar. When a control is dragged, a highlight appears in order to indicate where the control will be located once it is dropped. If the control is dropped on a menu popup, then it will be displayed with both a text string and icon. (See Morcos column 12, line 46, to column 13, line 22).

On the other hand, the present invention is characterized in that a user can modify a definition file by selecting one or more of said menu items being registered in a definition file to be suppressed. Moreover, the user can indicate a suppress process to be performed on said one or more of said menu items.

In other words, the user selects one of the suppress processes, including prohibiting a menu item by providing a prohibition mark, displaying the suppressed item in gray, deleting the item from the menu so that it is not displayed, or causing the item to not respond by disabling the item. (See the present application, page 16, line 25, to page 17, line 25, and Figs. 3 and 5). Therefore, the present invention, as recited in independent claims 1, 2, 8, 9 and 14 not only performs a display control, as discussed by the cited references, but also conducts an operation control and, therefore, patentably distinguishes over the prior art.

To further clarify the feature of operation control, independent claims 1, 2, 8, 9 and 14 are amended herein to recite modifying a definition file by allowing a user to select one or more of said menu items being registered in a definition file to be suppressed, and to indicate a suppress process, among a plurality of suppress processes, to be performed on said one or more of said menu items.

Therefore, it is respectfully submitted that amended independent claims 1, 2, 8, 9 and 14 patentably distinguish over the reference.

Claim 4 depends from amended claim 1 and inherits its patentable recitations. Therefore, it is respectfully submitted that claim 4 also patentably distinguishes over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: August 30, 2006

By: Michael P. Stanley
Michael P. Stanley
Registration No. 58,523

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501